

Amendments to House Bill No. 19
3rd Reading Copy

Requested by Representative Walter McNutt

For the House Appropriations Committee

Prepared by Greg Petesch
February 1, 2007 (12:44pm)

1. Title, line 13.

Following: "SECTIONS"

Insert: "17-1-508,"

2. Page 1, line 17.

Insert: "Section 1. Section 17-1-508, MCA, is amended to read:

"17-1-508. **Review of statutory appropriations.** (1) Each biennium, the office of budget and program planning shall, in development of the executive budget, review and identify instances in which statutory appropriations in current law do not appear consistent with the guidelines set forth in subsection (2).

(2) The review of statutory appropriations must determine whether a statutory appropriation meets the requirements of 17-7-502. A Except as provided in 77-1-108, a statutory appropriation from a continuing and reliable source of revenue may not be used to fund administrative costs. In reviewing and establishing statutory appropriations, the legislature shall consider the following guidelines. A statutory appropriation may be considered appropriate if:

- (a) the fund or use requires an appropriation;
- (b) the money is not from a continuing, reliable, and estimable source;
- (c) the use of the appropriation or the expenditure occurrence is not predictable and reliable;
- (d) the authority does not exist elsewhere;
- (e) an alternative appropriation method is not available, practical, or effective;
- (f) other than for emergency purposes, it does not appropriate money from the state general fund;
- (g) the money is dedicated for a specific use;
- (h) the legislature wishes the activity to be funded on a continual basis; and
- (i) when feasible, an expenditure cap and sunset date are included.

(3) The office of budget and program planning shall prepare a fiscal note for each piece of legislation that proposes to create or amend a statutory appropriation. It shall, consistent with the guidelines in this section, review each of these pieces of legislation. Its findings concerning the statutory

appropriation must be contained in the fiscal note accompanying that legislation."

{ Internal References to 17-1-508: None. }

Renumber: subsequent sections

3. Page 4, lines 23 and 24.

Following: "biennium is" on line 23

Insert: "transferred from the state general fund to an account in the state special revenue fund. The account is"

Following: "17-7-502," on line 23

Strike: remainder of line 23 through "fund" on line 24

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